

HEATHER E. WILLIAMS, SBN #122664
Federal Defender
HANNAH LABAREE, # 294338
Assistant Federal Defender
801 I Street, 3rd Floor
Sacramento, CA 95814
Tel: 916-498-5700/Fax 916-498-5710
Attorneys for Defendant
JUAN CARLOS MARTINEZ CASTRO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:19-cr-233 TLN
Plaintiff,)
vs.) STIPULATION AND ORDER TO CONTINUE
MARTINEZ CASTRO, ET AL) STATUS CONFERENCE, AND TO EXCLUDE
Defendant.) TIME
) Date: February 25, 2021
) Time: 9:30 a.m.
) Judge: Hon. Troy L. Nunley
)
)

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, U.S. Attorney McGregor Scott, through Assistant United States Attorney Justin Lee, attorney for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hannah Labaree, attorney for defendant Juan Carlos Martinez Castro, and Christopher Cosca, attorney for defendant Shannon Jeffries, that the previously-scheduled status conference date of February 25, 2021, be vacated and the matter be set for status conference on May 27, 2021 at 9:30 a.m, at the defendants' request.

Counsel for the defendants require time to review discovery, conduct independent investigation, and meet with their clients to review the material.

The current COVID-19 pandemic presents significant barriers to undersigned counsels' ability to accomplish the required tasks to adequately represent their clients, as communication with the clients is stymied by the restrictions on face-to-face contact. Moreover, Ms. Jeffries is

1 incarcerated at the Sacramento County Jail, which currently does not provide a safe and
2 confidential means by which counsel may meet with his client. Review of discovery, discussion
3 of sentencing exposure in the case, and private communications surrounding possible avenues of
4 defense investigation continue to be severely delayed at this time.

5 With respect to Mr. Martinez Castro, while he is out of custody and thus able to
6 communicate confidentially via telephone with his attorney, he is currently unable to review non-
7 documentary evidence in his case as he does not have access to a home computer. The process of
8 producing this discovery in a format which Mr. Martinez Castro has the technology to review
9 (such as a CD player), requires additional time as the Federal Defender Office is operating on a
10 skeleton crew and in-office staff are overloaded with tasks. Further, in-person investigation is
11 more difficult to accomplish in light of the health concerns involved with risks of contagion.

12 For all these reasons, Defense counsel believe that the failure to grant the above-
13 requested continuance would deny them the reasonable time necessary for effective preparation,
14 taking into account the exercise of due diligence.

15 Based upon the foregoing, the parties agree time under the Speedy Trial Act should be
16 excluded from this order's date through and including May 27, 2021, pursuant to 18 U.S.C.
17 §3161 (h)(7)(A)and (B)(iv) (reasonable time to prepare), and General Order 479, Local Code T4,
18 based upon continuity of counsel and defense preparation.

19 Counsel and the defendant also agree that the ends of justice served by the Court granting
20 this continuance outweigh the best interests of the public and the defendant in a speedy trial.

21 Respectfully submitted,

22 Dated: February 18, 2021

HEATHER E. WILLIAMS
Federal Defender

23
24 */s/ Hannah Labaree* _____
25 HANNAH LABAREE
Assistant Federal Defender
26 Attorney for Defendant
Juan Carlos Martinez Castro

27 ///

28 ///

1 Dated: February 18, 2021

2 /s/Christopher Cosca
3 CHRISTOPHER COSCA
4 Attorney for Defendant
5 Shannon Jeffries

6 Dated: February 18, 2021

7 MCGREGOR SCOTT
8 United States Attorney

9 /s/Justin Lee
10 JUSTIN LEE
11 Assistant U.S. Attorney
12 Attorney for Plaintiff

ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including May 27, 2021, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and(B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the February 25, 2021 status conference shall be continued until May 27, 2021, at 9:30 a.m.

Dated: Februaury 18, 2021

Troy L. Nunley

Troy L. Nunley
United States District Judge